



December 16, 2021

Regional Freedom of Information Officer  
United States Environmental Protection Agency  
Region 2  
290 Broadway, 26<sup>th</sup> Floor  
New York, NY 10007

**RE: FREEDOM OF INFORMATION ACT REQUEST**

Dear FOIA Officer:

Pursuant to the provisions of the Freedom of Information Act (5 U.S.C. § 552) (FOIA), Taylor Research Group LLC (TRG) requests access to or copies of any and all documents, which are in the possession, custody, or control of the United States Environmental Protection Agency (EPA) Region II pertaining to Phelps Dodge Refining Corporation (PDRC) and its predecessor companies (G.H. Nichols Co., Nichols Copper Co., Nichols Chemical Co., General Chemical Co., Allied Chemical and Dye Corp.) located at 42-02 and 42-04 56<sup>th</sup> Road along Newtown Creek in Queens, New York. These entities operated at this site between the years 1866 and 1984.

TRG is interested in EPA's (and its predecessors') regulatory activity of this site to prevent the pollution of air, ground, groundwater, and/or Newtown Creek (or its tributaries) itself. Responsive documents may include, but are not limited to, the following:

- Inter-and intra-agency correspondence as well as direct correspondence with PDRC and its predecessors;
- permits and permit files;
- inspection reports and compliance evaluation records;
- notices of violation, fines, tickets, and/or sanctions and citations that were issued to PDRC and/or its predecessors;
- documents from EPA's Hazardous Waste Division, e.g. hazardous material incident reports, hazardous waste files related to the site as a generator, handler, and/or transporter of hazardous waste such as notification of regulated waste activity forms, etc.; and
- correspondence and other records related to enforcement actions



The following EPA ID numbers are associated with the PDRC site and may be useful in locating responsive documents:

- Superfund Information (SEMS) ID: NYD039138789
- Resources Conservation and Recovery Act Information System Handler IDs: NYD001293489, NYP000784819, NYP000785923
- ECHO Facility Registry Service (FRS) ID: 110004333445

We recognize that the volume of records responsive to this request may be large. In the past, TRG has worked with federal agencies to assist in the review of files referenced in FOIA requests. We request that you make these materials available for our review in a research room at your site and per your agency's current COVID-19 protocols. This approach allows TRG researchers to identify a limited number of responsive documents to be copied, thereby reducing the amount of time required by agency officials to review and process documents for release and avoiding a time consuming item by item examination of the requested files by EPA Region II. Please contact me concerning the feasibility of this arrangement in this instance.

To the extent that any relevant documents have exemptions, I request that you sanitize the documents for our review. If there are exempt documents that you will not release and/or sanitize, I request that you identify any and all such documents by listing date, author, recipient(s), page numbers, and subject matter. If any documents contain exemptions, please specify the exemptions claimed for each page or passage. In addition, please advise me of any destruction of records and include the date of and authority for such destruction.

TRG agrees to pay all reasonable and standard processing fees up to \$250. If the fees will exceed this amount, please call me with an estimate of the costs so that I can specifically request authorization for expenditures beyond \$250.

If you have any questions, please contact me at 412.626.0603 or e-mail me at [rachelreilly@taylorresearchgroup.com](mailto:rachelreilly@taylorresearchgroup.com).

Best Regards,

A handwritten signature in black ink, appearing to read 'Rachel Reilly', is written over a light blue circular background element.

Rachel Reilly  
Research Associate